

1 RENE L. VALLADARES
Federal Public Defender
2 State Bar No. 11479
KATHRYN C. NEWMAN
3 Assistant Federal Public Defender
Nevada State Bar No. 13733
4 411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
5 (702) 388-6577/Phone
(702) 388-6261/Fax
6 Kathryn_Newman@fd.org
7 Attorney for Brian Thomas Verchick

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 BRIAN THOMAS VERCHICK,
15 Defendant.

Case No. 2:18-mj-00698-GWF

**MOTION TO CONTINUE
SENTENCING HEARING**
(Second Request)

16
17 Brian Verchick respectfully requests that the sentencing hearing currently scheduled for
18 May 8, 2019, at 9:00 a.m., be vacated and continued to a date and time convenient to the Court,
19 but no sooner than sixty (60) days.

20 **Discussion**

21 Mr. Verchick is taking classes and training in order to get a contractor's license. The
22 training is intensive and he needs to complete it before he begins supervised probation. The
23 terms of the program may prohibit him from continuing while he is on supervised probation.
24 Mr. Verchick tells counsel he can complete the licensing during this extension.

25 Mr. Verchick requests the continuance so that he can focus on his community service
26 and other requirements during the period of probation. The PSR recommends that the Court

1 sentence Mr. Verchick to 300 hours of community service during the two years of supervision.
2 Mr. Verchick will have difficulty completing this much community service while operating his
3 own business and working more than forty hours a week. This challenge will increase
4 exponentially if he needs to work towards these community service hours while also completing
5 his contractor's license schooling.

6 Mr. Verchick has been on pretrial release and supervision since his initial appearance
7 on September 4, 2018. ECF No. 2. Pretrial services has not reported any issues with his
8 supervision to his counsel. By continuing the sentencing hearing, the Court is effectively
9 continuing the period of supervision for Mr. Verchick.

10 This is the second request to continue the sentencing and the first motion by Mr.
11 Verchick. The parties submitted a stipulation to continue the hearing on February 22, 2019,
12 which was granted. ECF No. 9, 10.

13 **Conclusion**

14 For the foregoing reasons, Mr. Verchick respectfully requests the Court continue

15 DATED this 29th day of April, 2019.

16
17 RENE L. VALLADARES
18 Federal Public Defender

19 */s/ Kathryn C. Newman*

20 By _____

21 KATHRYN C. NEWMAN
22 Assistant Federal Public Defender
23
24
25
26

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on April 29, 2019 she served an electronic copy of the above and foregoing MOTION TO CONTINUE SENTENCING by electronic service (ECF) to the person named below:

NICHOLAS A. TRUTANICH
United States Attorney
KILBY MACFADDEN
Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

/s/ April Graham
Employee of the Federal Public Defender

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN THOMAS VERCHICK,

Defendant.

Case No. 2:18-mj-00698-GWF

ORDER

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for May 8, 2019 at 9:00 a.m., be vacated and continued to July 17, 2019 at the hour of 9:00 a .m.; or to a time and date convenient to the court.

DATED this 6th day of May 2019.


UNITED STATES MAGISTRATE JUDGE